

#### **Air Pollution Control Permits**

Missouri Department of Natural Resources Division of Environmental Quality Air Pollution Control Program P.O. Box 176 Jefferson City, MO 65102-0176 573-751-4817

Or contact your nearest Department of Natural Resources regional office.

If the activity of concern is located in St. Louis City, St. Louis County, Kansas City or Springfield, contact the local air pollution control authorities, in addition to the department. They may have local codes or ordinances that apply.

#### **Local Air Pollution Control Authorities**

City of St. Louis Division of Air Pollution Control 1415 N. 13th Street St. Louis, MO 63106 314-613-7300 314-613-7275 FAX

Springfield Air Quality Control
Department of Environmental Services
P.O. Box 8368 Springfield, MO 65801-8368
417-864-1412

St. Louis County Department of Health Air Pollution Control Section 6121 North Hanley Road Clayton, MO 63134 314-615-8924

Kansas City Air Quality Program Air Quality Section 2400 Troost Avenue, Suite 3000 Kansas City, MO 64108 816-513-6314 816-513-6173 FAX

## **Asbestos Abatement Contractor Registration**

**Regulated Activities:** Any regulated project must be performed by a contractor registered with the Department of Natural Resources. Under certain strict conditions a business may obtain a one-time exemption to perform asbestos mitigation work in its own place of business.

**Fees:** \$1,000 per year for contractor registration.

**Required Documents:** Asbestos Contractor Registration Application, Form -- MO 780-1224, available online at www.dnr.mo.gov/forms/780-1224-f.pdf and the following:

- 1. An outline of the company's respiratory protection program and employee medical surveillance for compliance with OSHA and EPA Worker Protection Laws.
- 2. At least one certificate number of a Missouri certified supervisor within their employment. In addition, paper copies are available by contacting the Air Pollution Control Program at the address or telephone number above.

Length of Permit: One year

**Average Processing Time:** Three to six weeks

Pubic Participation: None required

Applicable Statutes: RSMo 643.225 through 643.250

Applicable Rules: 10 CSR 10-6.250 and 40 CFR Part 61, Subpart M

#### **Asbestos Removal Notification**

**Regulated Activities:** The removal of Regulated Asbestos Containing Materials (RACM) during renovation, demolition or operations and maintenance of any building or other air contaminant source. Demolition of any regulated structure, regardless of presence of asbestos.

**Fees:** \$100 filing fee for projects of 160 square feet or 260 lineal feet, or larger of RACM; no fee for smaller projects or for demolition notifications.

**Required Documents:** A completed *Asbestos Project Notification*, Form MO 780-1226, available online at www.dnr.mo.gov/forms/780-1226-f.pdf (for renovations) and a completed *Asbestos NESHAP Notification of Demolition and Renovation*, Form MO 780-1923, available online at www.dnr.mo.gov/forms/780-1923-f.pdf (for demolitions).

**Timing for Submittal:** No later than 10 working days before the project commences.

**Length of Permit:** Good only for the dates specified in the notification.

**Public Participation:** None required

Applicable Statutes: RSMo 643.225 through 643.250

Applicable Rules: 10 CSR 10-6.250 and 40 CFR Part 61, Subpart M

#### **Construction Permits (New Source Review)**

Construction permits, also called New Source Review (NSR) permits, are required for the construction of a new air pollution source, or modification of an existing source. Construction permits allow an installation to construct and operate an air emission source. Construction permits are required prior to commencing construction of an emission source. An applicant may apply for a pre-construction waiver if applicable. See section relating to *De Minimis* and Minor New Source Review Permits.

No construction permit is required if potential emissions of the entire installation are less than regulatory *de minimis* levels or potential emissions of the proposed project are below the insignificance levels.

Potential emissions of a proposed project are calculated based on maximum design capacity of the equipment and assuming continuous operation, 8,760 hours per year. Emissions factors and control efficiencies used to calculate the potential to emit are based upon EPA sources, stack testing or engineering data.

There are three general types of construction permits: Major Source, Minor Source and *De Minimis*. The department also issues portable relocation permits that allow for the movement and operation of equipment previously permitted through the minor and *de minimis* permitting sections. In addition, the department may issue a temporary or pilot plant permit in place of a minor source or *de minimis* permit if the installation qualifies for a temporary permit under state regulations.

Operating permits are required after an installation constructs and commences operation of an air emission source. The operating permit lists all applicable rules and regulations for a facility in one document. There are three types of operating permits: Part 70, Intermediate or Synthetic Minor, and Basic State.

The types of permits and requirements for each are shown on the next few pages. Application forms are available electronically at <a href="https://www.dnr.mo.gov/forms/index.html">www.dnr.mo.gov/forms/index.html</a>. In addition, paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

The most common regulated pollutants and their applicable emission levels are shown in Table 1. For a complete list of regulated air pollutants and a list of named sources, refer to the Code of State Regulations, specifically 10 CSR 10-6.020 (3).

Table 1: Emission levels of common air pollutants.

Pollutant (Note 1)	Insignificant Levels (lbs/hour)	Regulatory De Minimis Levels/ Federal Significance Levels (tons per year)	Major Source Thresholds – Operating Permits and NSR named sources (tons per year)	Major Source Thresholds – NSR Non-named sources (tons per year)
PM <sub>10</sub>	1.0	15	100	250
PM <sub>2.5</sub>	Note 3	10.0	100	250
SOx	2.75	40	100	250
NOx	2.75	40	100	250
VOC	2.75	40	100	250
CO	6.88	100	100	250
HAPs	0.5 (Note 2)	10/25	10/25	10/25

Note1: PM10 = particulate matter with diameter less than 10 microns; PM2.5 = particulate matter with diameter less than 2.5 microns in diameter; SOx = Sulfur Oxides; NOx = Nitrogen Oxides; VOC = Volatile Organic Compounds; CO= Carbon Monoxide; HAPs= Hazardous Air Pollutants. Note 2: or the hazardous emission threshold as established in subsection (12)(J) of 10 CSR 10-6.060, whichever is less.

Note 3: Insignificant Levels for PM2.5 are being developed. Check with the Air Pollution Control Program for more information.

#### De Minimis and Minor Source New Source Review Permits

(Construction permits including concrete plants and quarries)

#### **Regulated Activities:**

De Minimis: The modification of a major or minor installation when the modification by itself has the potential to produce emissions below the *de minimis* level for each regulated air contaminant. An installation with a project with potential emissions above *de minimis* levels may request voluntary limits to *de minimis* levels for review under this section.

Minor: The construction or modification of a minor installation, or process, such that the construction or the modification has the potential to emit at or greater than the *de minimis* level of a regulated air contaminant but less than major source levels per year. (Minor installations are installations with potential emissions greater than the *de minimis* levels but less than the major source threshold.) Existing installations with potential emissions greater than the major source threshold for New Source Review permitting do not qualify for minor permits unless the project emissions are solely hazardous air pollutants and a Maximum Achievable Control Technology standard applies to the equipment.

See Table 1 for emission levels.

There are several source categories that have the option of applying for a permit by rule rather than a *de minimis* or minor new source review permit application. For more information see *Permit by Rule Notifications* at www.dnr.mo.gov/env/apcp/docs/cp-permitbyrulenotific.pdf.

The relocation of industrial emission sources designed for and capable of being moved to other sites around the state. Typically this section applies to portable concrete, asphalt or crushing plants.

Either a *de minimis* or minor new source review permit is required initially for a new or modified portable source but is not required again for setup at each relocation. Each new location is evaluated for air quality impact. See *Portable Source Relocation Request* on the department's website at <a href="https://www.dnr.mo.gov/env/apcp/docs/cp-portablesourcerelocate.pdf">www.dnr.mo.gov/env/apcp/docs/cp-portablesourcerelocate.pdf</a> for more information.

Fees: \$100 filing fee; \$50 per hour of review time

**Required Documents:** Two copies of the completed application form, *Application for Authority to Construct*, Form -- MO 780-1323. Supplemental documentation such as air quality modeling may be required for some applications depending on pollutants being emitted. The *Application for Authority to Construct* is available online at www.dnr.mo.gov/forms/780-1323-f.pdf.

Concrete plants and quarries have the option to submit an electronic Concrete Emission Worksheet or Quarry Emission Worksheet in lieu of a Form 2.0 from the *Application for Authority to Construct* for each emission unit." These forms are available on the department's website at <a href="https://www.dnr.mo.gov/forms/index.html">www.dnr.mo.gov/forms/index.html</a>.

In addition, paper copies of the *Application for Authority to Construct* form are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Length of Permit:** This permit does not expire. However, construction must start within two years of permit issuance. The permit may be revoked if construction is not started within this timeframe. The applicant may apply for an extension for commencing construction as long as the conditions of 10 CSR 10-6.060 (6)(E)2 are applicable.

**Pre-Construction Waiver:** An applicant may request a pre-construction waiver. This allows construction of the applicable equipment. The department may grant the waiver if all criteria for a waiver are met. An applicant must receive the permit prior to start-up of operations. A fact sheet titled *Preconstruction Prohibition Waivers* (PUB 2014) is available online at dnr.mo.gov/pubs/pub2014.pdf. In addition, paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Processing Time:** State regulations require the department to issue a minor new source review permit within 90 days of receipt of a complete application. If additional technical information is requested during the permit review, the time spent by the applicant preparing this information is not included in the 90 days.

**Pre-application Meetings:** Pre-application meetings or conference calls are encouraged for projects with potential emissions of particulate matter or sulfur oxides greater than 50 tons per year. These projects do require air quality modeling and are more complicated in nature.

**Public Participation:** None required **Applicable Statutes:** RSMo 643.075

**Applicable Rules:** 10 CSR 10-6.060, 10-6.020 and 10-6.010

#### **Major Source New Source Review Permit**

(attainment and nonattainment areas)

**Regulated Activities:** The construction or modification of an installation or process, such that the construction or the modification has the potential to emit more than the major emission level of a regulated air contaminant. See Table 1 for emission levels. For existing major sources, construction or modification that produces a net emissions increase of greater than the *de minimis* levels will also fall under this review. For these projects, facilities may request a voluntary limit to *de minimis* levels. In this case the application would be reviewed following the *De Minimis* New Source Review Permits detailed previously.

**Fees:** \$100 filing fee; \$50 per hour of review time (includes air modeling review time.)

**Required Documents:** Two copies of a completed *Application for Authority To Construct*, Form --MO 780-1323, available online at <a href="https://www.dnr.mo.gov/forms/780-1323-f.pdf">www.dnr.mo.gov/forms/780-1323-f.pdf</a> and documentation of control technology selection (either best available control technology or lowest achievable emission rate). Air quality modeling is required for each pollutant emitted above the *de minimis* levels. Up to one year's ambient air monitoring may be required depending on the pollutants being emitted. In addition, paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Length of Permit:** This permit does not expire. However, construction must commence within 18 months of permit issuance. The permit may be revoked or additional modeling or control technology analyses may be required if construction is not started within this timeframe. If construction stops prior to completion of the project and is stopped for more than 18 months, additional modeling and a new control technology analysis may be required.

**Pre-Construction Waiver:** Applicants subject to major new source review permits do not qualify for pre-construction waivers. Therefore, a new source review permit must be issued before construction begins.

**Processing Time:** State regulations require the department to issue a major new source review permit within 184 days of receipt of a complete application. If additional technical information is requested during the permit review, the time spent by the applicant preparing this information is not included in the 184 days. The public comment period and public hearing are both included in this 184-day time frame.

**Pre-application Meeting:** This is a complex permitting process. Pre-application conferences are strongly encouraged. Communication with the department in the early planning stages of the project helps prevent time delays during the permit review period.

**Public Participation:** Public notice and opportunity for public hearing are required.

Applicable Statutes: RSMo 643.075

**Applicable Rules:** 10 CSR 10-6.060, 10-6.020 and 10-6.010

#### Major New Source Review Hazardous Air Pollutant (HAP) Permit

**Regulated Activities:** The construction or reconstruction of any new process or production unit that has the potential to emit greater than 10 tons per year of any single HAP or greater than 25 tons per year of combined HAPs; and which is not in a source category covered by a federal standard for reduction of hazardous air pollutant emissions under section 112 of the Clean Air Act of 1990. These federal standards are found in 40 CFR Parts 60 and 63. Installations may request voluntary limits of 10 tons per year of any single HAP and 25 tons per year of combined HAPS. With the voluntary limits, the project would then be reviewed as a *de minimis* permit.

Fees: \$100 filing; \$50 per hour review

Required Documents: Two copies of a completed *Application for Authority to Construct*, Form -- MO 780-1323 available online at <a href="https://www.dnr.mo.gov/forms/780-1323-f.pdf">www.dnr.mo.gov/forms/780-1323-f.pdf</a> Documentation that existing emission control equipment constitutes best achievable control technology, or BACT, lowest achievable emission rate (LAER) as described in 40 CFR Part 51 or 52; or toxic best available control technology (T-Bact) or maximum achievable control technology (MACT), for the HAPs to be emitted by the process or production unit. If HAP control technology does not currently exist, then documentation the control technology to be used meets MACT standards for the pollutants to be emitted and alternative control technologies were considered must be included. The review of the control technology documentation is sometimes called "case by case MACT" review.

**Length of Permit:** This permit does not expire. However, construction must commence within 18 months of permit issuance. The permit may be revoked if construction is not started within this timeframe. Construction must commence within 18 month of permit issuance. Permits may be extended, but in no case for more than 30 months after issuance.

**Processing Time:** Thirty calendar days to determine if the application is complete; then 30 calendar days to notify the applicant the proposed MACT is approved or disapproved. If the proposed MACT is approved, the permit must be issued within 90 calendar days of notice the application is complete. If the proposed MACT is rejected, the applicant has 60 calendar days from the date of receipt of disapproval to provide in writing, additional information for review. In this event, the applicant must be notified within 30 days after the additional information is received if the application will be approved.

**Pre-application Meeting:** This is a complex permitting process. Pre-application conferences are strongly encouraged. Communication with the department in the early planning stages of the project helps prevent time delays during the permit review period.

**Public Participation:** Public notice and a 30-day comment period are required. Public comments may result in delaying the permit review for the applicant's response to the comments.

Applicable Statutes: RSMo 643.050

**Applicable Rules:** 10 CSR 10-6.060 and 10 CSR 10-6.020

#### **Permit by Rule Notifications**

**Regulated Activities:** There are several source categories that have the option of applying for a permit by rule rather than a *de minimis* or minor new source review permit application. The permit by rule application contains conditions of operation. After the installation accepts these conditions and submits the applicable application, the department reviews and quickly issues a permit by rule. At the time of publication, permit by rule was available for the following source categories: printing operations, crematories and animal incinerators, surface coating and livestock markets.

Fees: \$700 flat fee covers filing and review time

#### **Required Documents:**

- Application for Authority to Construct, Permit by Rule Notification Livestock Markets and Livestock Operations, Form -- MO 780-1886, available online at www.dnr.mo.gov/forms/780-1886-f.pdf
- Application for Authority to Construct, Permit by Rule Notification Surface Coating Operations, Form MO 780-1887, available online at www.dnr.mo.gov/forms/780-1887-f.pdf
- Application for Authority to Construct, Permit by Rule Notification Crematories and Animal Incinerators, Form MO 780-1888, available online at www.dnr.mo.gov/forms/780-1888-f.pdf
- Application for Authority to Construct, Permit by Rule Notification Printing Operations, Form MO 780-1889, available online at www.dnr.mo.gov/forms/780-1889-f.pdf

Printed paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Length of Permit:** This permit does not expire.

Processing Time: Seven days

**Public Participation:** None required **Applicable Statutes:** RSMo 643.075

**Applicable Rules:** 10 CSR 10-6.062, 10-6.020 and 10-6.010

#### **Portable Source Relocation Request**

(often portable concrete, asphalt or crushing plants)

**Regulated Activities:** The relocation of industrial emission sources designed for and capable of being moved to other sites around the state. Typically this section applies to portable concrete, asphalt or crushing plants. Either a *de minimis* or minor new source review permit is required initially for a new or modified portable source but is not required again for setup at each relocation. Each new location is evaluated for air quality impact.

Fees: Previously approved sites: No review fee.

**Relocation to new sites:** \$200 flat fee is required. No additional review fee is charged.

**Required Documents:** Report of Portable Source Relocation Request, Form -- MO 780-1323, available online at www.dnr.mo.gov/forms/780-1323-f.pdf, maps of location, source layout and associated site specific documentation (haul roads/storage pile information). The relocation forms are found on pages 14 to 16 of the Application for Authority to Construct, Form -- MO 780-1323) available online at www.dnr.mo.gov/forms/780-1323-f.pdf.

Printed paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Length of Permit:** The relocation permit is valid for two years from date of starting operations at an approved site or until the date specified in the approved relocation request.

**Processing Time:** Seven days for previously approved locations that have no change in operation. 21 days for new location for previously permitted equipment.

**Public Participation:** None required **Applicable Statutes:** RSMo 643.075

**Applicable Rules:** 10 CSR 10-6.060, 10-6.020 and 10-6.010

#### Quarries

See De Minimis and Minor Source New Source Review Permits.

## **Open Burning Permit**

**Regulated Activities:** Open burning of tree trunks, tree limbs and vegetation from land clearing operations is allowed only in the out-state area if the burning takes place outside the city limits of any incorporated area or municipality and at least 200 yards from the nearest inhabited dwelling. The out-state area is the geographical area comprising those counties not contained in the Kansas City or St. Louis metropolitan areas or the Springfield-Greene County area.

City or county governments may impose restrictions in addition to Missouri's state regulations. Prior to conducting any open burning, businesses and citizens should contact the city or county of jurisdiction for any local restrictions.

Missouri allows fires to be set for the purpose of training fire fighters. Contact the nearest department regional office or the local agency in the Springfield-Greene County area, St. Louis metropolitan area and Kansas City metropolitan area for requirements. All fire training exercises must be in compliance with 40 CFR part 61 subpart M, National Emission Standard for Hazardous Air Pollutants, for asbestos and National Fire Protection Association 1403.

Fees: None

**Required Documents:** Completed *Application for Permit to Open Burn Vegetative Waste*, Form -- MO 780-1941. The form is available online at <a href="https://www.dnr.mo.gov/forms/780-1941-f.pdf">www.dnr.mo.gov/forms/780-1941-f.pdf</a>.

**Length of Permit:** Negotiable

Average Processing Time: Five days
Public Participation: None required
Applicable Statutes: RSMo 643
Applicable Rules: 10 CSR 10-6.045

# Operating Permits: Basic, Part 70 and Intermediate/Synthetic Minor Operating Permits

**Regulated Activities:** Missouri's operating permit program applies to all Missouri installations that have the potential to emit more than the specified *de minimis* level of any regulated air contaminant. Incinerators and most sources subject to federal New Source Performance Standard(s) or National Emission Standards for Hazardous Air Pollutants are required to have an operating permit regardless of potential emissions.

**Basic:** Installations where potential emissions are greater than the *de minimis* level, but less than 100 tons per year of any non-HAP pollutant.

**Part 70:** Installations with potential emissions exceeding 100 tons per year of any non-HAP or 10 tons per year of any single HAP, or 25 tons per year of two or more HAPs.

**Intermediate or Synthetic Minor:** Installations with potential emissions above the major source level, that choose to take voluntary limits on their operations to keep emissions below the major source threshold. These conditions are called Federally Enforceable Permit Conditions, and the limited emissions become the installation's new potential emissions.

Installations that obtain a construction permit limiting actual emissions to less than *de minimis* levels are called Synthetic *De Minimis* and are not required to obtain an operating permit as long as there are no other federal requirement(s) to obtain an operating permit.

Fees: \$100 filing fee

Required Documents: An Application for Authority to Operate, Form -- MO 780-1519, for Part 70 is available online at <a href="www.dnr.mo.gov/forms/780-1519-f.pdf">www.dnr.mo.gov/forms/780-1519-f.pdf</a> and a Basic Operating Permit Notification, Form -- MO 780-1872, for basic installations available online at <a href="www.dnr.mo.gov/pubs/pub2279.pdf">www.dnr.mo.gov/pubs/pub2279.pdf</a>. New Part 70 installations must apply within one year of starting up operations. Other new installations must apply within 30 days of start up. Renewal applications must be filed no sooner than 18 months and no later than six months before expiration. In addition, paper copies are available by contacting the Air Pollution Control Program at the address or telephone number on page 7.

**Length of Permit:** Five years from date of issuance.

**Processing Time:** It may take up to 18 months to issue a Part 70 operating permit. Intermediate and Basic State operating permits are generally issued in less than 18 months.

**Public Participation:** Public notice and opportunity for public hearing are required on all Part 70 and Intermediate operating permits.

**Applicable Statutes:** RSMo 643.078

**Applicable Rules:** 10 CSR 10-6.065, and 10 CSR 10-6.020

## **Vapor Recovery Construction Permit**

**Regulated Activities:** The construction of new gasoline dispensing facilities and any modification to existing gasoline dispensing facilities when the activity may affect the vapor recovery or gasoline dispensing equipment. Permits are required only in the St. Louis ozone non-attainment area (counties of St. Louis, Franklin, Jefferson, St. Charles and St. Louis City). For additional information see the Vapor Recovery webpage at <a href="https://www.dnr.mo.gov/env/apcp/stageii/stage2.htm#qdt">www.dnr.mo.gov/env/apcp/stageii/stage2.htm#qdt</a>.

**Fees:** \$100 Missouri application fee for facilities in the City of St. Louis and in Franklin, Jefferson and St. Charles counties. Missouri fee waived in St. Louis County. \$100 County Construction permit fee in St. Louis County.

**Required Documents:** A completed *Vapor Recovery System Construction/Operating Permit Application*, Form MO--780-1561, available online at <a href="https://www.dnr.mo.gov/forms/780-1561-f.pdf">www.dnr.mo.gov/forms/780-1561-f.pdf</a>, current California Air Resources Board, executive order(s) for Stage I and Stage II equipment that will be installed, Missouri Performance Evaluation Test procedures approval numbers, site-specific plan for layout of dispensers, tanks, products lines and vapor lines including elevation plan and slope.

**Length of Permit:** A construction permit is required for each new construction and each regulated modification of an existing facility. The length of each permit is one year.

**Average Processing Time:** 30 to 60 days. Applications to be submitted at least 60 days prior to beginning construction.

**Public Participation:** Not required **Applicable Statutes:** RSMo 643 **Applicable Rules:** 0 CSR 10-5.220

# **Vapor Recovery Operating Permit**

Regulated Activities: An operating permit is required upon completion of a new gasoline dispensing facility and upon completion of regulated modifications to an existing gasoline dispensing facility. Existing gasoline dispensing facilities must submit an application for an operating permit upon notification by the department, completion of construction or 60 days prior to expiration of current operating permit. Permits are required only in the St. Louis ozone non-attainment area (counties of St. Louis, Franklin, Jefferson, St. Charles and St. Louis City). For additional information see the Vapor Recovery home page: www.dnr.mo.gov/env/apcp/stageii/stage2.htm#gdt.

**Fees:** \$100 Missouri application fee for facilities in the City of St. Louis and in Franklin, Jefferson and St. Charles counties. State operating permit fee for new construction and modifications should be submitted with the construction permit application and fee. Missouri State fee waived in St. Louis County. \$100 County Construction permit fee in St. Louis County.

**Required Documents:** A completed *Vapor Recovery System Construction/Operating Permit Application,* Form MO--780-1561, available online at <a href="https://www.dnr.mo.gov/forms/780-1561-f.pdf">www.dnr.mo.gov/forms/780-1561-f.pdf</a>, current California Air Resources Board executive order(s) for Stage I and Stage II equipment that is/will be installed, MOPETP approval numbers, site-specific plan for layout of dispensers,

tanks, product lines and vapor lines including elevation plan and slope (if available on existing facilities), proof of passage of pressure decay test, back pressure blockage test and pressure/vacuum valve bench test.

**Length of Permit:** Permits will be issued for five years. New operating permits will be issued whenever the facility undergoes a regulated modification.

Average Processing Time: 30 to 60 days

**Public Participation:** Not required **Applicable Statutes:** RSMo 643

Applicable Rules: 10 CSR 10-5.220